1941

K **File No.** Sal and Allce/41

Legal DEPARTMENT

C BRANCH

K

Subject:

Government Orders regarding

Salaries and Allowances.

P 59

E

File No. Sal and Allce/41.

Std. Sectt. Slip 24 B a.

290-C

C O N T E N T S.

Legal Department Volumes Sal. and Allce./41.

1941.

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P.T.O.

Below copy of a note dated the 31st March 1941 recorded in the Political and Services Department regarding the grant of Lee concessions to officers holding certain posts (other than posts in the All-India Services) classified as "Superior".

No.M.D.2760/5/9270-D.

Political and Services Department,

Bombay Castle, 8th April 1941.

Forwarded to all Departments of the Secretariat (except the Separate Department) with a request that the information required in paragraph 3 of the note, in so far as they are respectively concerned, may kindly be supplied to this Department at an early date.

By order of the Governor of Bombay,

Sd/-
For Chief Secretary to the Government of Bombay,
Political and Services Department.

BKS. 23/5/ 5c.

Copy of a note dated the 31st x March 1941 recorded in the Political and Services Department.

.....

Resubmitted with reference to office note dated the 19th March 1941 and Secretary to the Governor's note dated the 24th March 1941 below it.

2. H.E. wants to know how many officers appointed to "Superior" posts have not been given the "Lee concessions" and how many officers are likely to be appointed to those posts in the next two years who would be eligible for the concessions.

Lee concessions are at present admissible only to members of All-India Services according to the Superior Civil Services Rules, 1924. The posts borne on the cadre of these services are superior posts. When the Lee concessions were given to members of All-India Services, a question was raised by the Secretary of State regarding the grant of these concessions to members of certain other services (other than All-India Services) which were distinguished from ordinary Provincial Services. In 1936, the Governor General in Council with the sanction of the Secretary of State in Council framed "the Superior Services and Posts (Classification) Rules" under which certain Services and Posts under Provincial Governments included in the Schedule attached thereto were deemed to be Superior Services and Posts. The following posts under this Government were declared to be "Superior" under those rules :-

(1) Superintendent, Bombay City Survey and Land Records,

(2) Non-I.M.S.Superintendents of Central Jails,

(3) Chief Inspector of Factories, Bombay,

(4) Chief Inspector of Steam Boilers, Bombay,

(5) Superintendent, Government Printing and Stationery, Bombay.

(6) First Physician, Camm and Albless

(7) Superintendents of Excise, Bombay (above efficiency bar on 1-9-26),

(8) Agricultural Engineer, Bombay,

(9) Deputy Commissioner of Excise, Bombay,

(10) Director of Information, Bombay,

(11) Revenue Officer, Lloyd Barrage and Canals Project (when not holding a member of the I.C.S.),

(12) Chief Judge of Court of Small Causes, Bombay,

(13) Judges of High Courts (other th... I.C.S. High Court Judges),

(14) Consulting Surveyor, Bombay,
(15) Assistant Consulting Surveyor, Bombay,

(16) Manager, Photozinco Press, Poona,

Officers of non-Asiatic domicile who were substantive holders of the posts mentioned above on or prior to 1-4-24 were - declared to be eligible by the Secretary of State for the Lee concessions.

3. For supplying the information required by H.E., the Departments of the Secretariat will have to be asked to state:

(1) whether any, and if so, how many officers of non-Asiatic domicile, other than officers of the All-India Services, have held substantively the posts mentioned in paragraph 2 above from 1-4-24 to date;

(2) whether any, and if so, how many of these officers did not enjoy the Lee concessions attached to those posts;

(3) whether any officers of non-Asiatic domicil other than officers of an All-India Service are likely to be appointed substantively (by promotion) within the next two years to the posts mentioned in paragraph 2 above, if and after those posts are vacated by the present incumbents.

4. If approved, copies of this note may be forwarded to the Departments concerned for supplying the necessary information required in paragraph 3 above.

Submitted.

2. H.E. wants to know how many officers appointed to "Superior" posts have not been given the "Lee concessions" and how many officer are likely to be appointed to these posts in the next two years who would be eligible for the concessions. P. & S.D. has ~~xxxx~~ discussed the question in para.2 of its note ante.

3. Lee concessions are admissible only to members of All India Services according to Superior Civil Services Rules, 1924. A question was raised by the Secretary of State regarding the grant of these concessions to members of certain other services (other than All India Services) which were distinguished from ordinary Provincial Services. In 1936 the Governor General in Council with the sanction of the Secretary of State in Council framed the Sup. Civil Services and Posts (Classification) Rules under which certain services were deemed to be superior services and posts. Such posts under this Govt. are given in para.2 of the P. & S.D. note at pages 3&4 ante.

4. The P. & S.D. wants information about these posts as per para.3 of their note. L.D. is not concerned with any of these posts. The P. & S.D. may therefore be informed that this Department has no information to supply as it is not concerned with any of the posts mentioned in para. 2 of its note dated 31st March 1941. Draft is put up for approval and signature.

Sd/-
19-4-41

Supdt. Sd/-J.V.B. 19/4

S.S. Sd/-S.B.P. 21/4

A.L.R. Sd/-V.R.S. 22-4-41.

D.S. Sd/- 22/4

BKS. 23/5/ 40

No. 3613

Legal Department

Bombay Castle, 24th April 1941.

Memorandum.

The undersigned presents compliments to the Chief Secretary to the Government of Bombay, Political and Services Department and with reference to his Endorsement No. H.D. 2760/3/9270-D, dated the 8th April 1941 is directed to state that this Department has no information to supply as none of the posts mentioned in paragraph 2 of the Political and Services Department Note dated the 31st March 1941 is under the administrative control of this Department.

By order of the Governor of Bombay,

Sd/-S.B.P.
For Secretary to the Government of Bombay,
Legal Department.

Sd/-
23/4

To

The Chief Secretary to the Government of Bombay,
Political and Services Department.

BKJ.
23/5/ 40.

(Below copy of Government of India, Finance Department, Notification No.F.44(4)-R.II/40 dated 27th March 1941).

No.174/8553-F. Finance Department.

Bombay Castle, 15th April 1941.

Forwarded for information and guidance to -

the Registrar of Companies, Bombay.

and

All Departments ofthe Secretariat (except the Separate Department).

By order of the Governor of Bombay,

Sd/-

For Deputy Secretary to the Government of Bombay, Finance Department.

BKS. 23/5/ 4e.

FINANCE DEPARTMENT.

NOTIFICATION

New Delhi, the 27th March 1941.

No. F.-44(4)-E. II./40.-The Governor General in Council has had under consideration the question of affording relief to low paid Government servants in the event of a substantial rise in the cost of living in the circumstances created by the war and has decided to apply to Central Government servants ~~in~~ employed in the Bombay Presidency, excepting Railway employees, the provisions of the scheme of compensatory cost of living allowance detailed in the Government of Bombay, Finance Department, Resolution No. 174, dated the 19th March 1941.

A. C. TURNER,
Joint Secy. to the Govt. of India.

No. F. 44 (4)-E. II/40.

Copy, with a copy of the Government of Bombay, Finance Department, Resolutions No. 174, dated the 19th March, 1941 and the 24th March, 1941 forwarded to the several Departments of the Government of India; the Political Department the Secretaries to the Governor General (Public), (personal) and (Defence Co-ordination); the Crown Finance Officer; the Financial Adviser, Communications; the Additional Financial Adviser, Supply (Finance); the Joint Financial Adviser, Munitions Production Calcutta; the Joint Financial Adviser, Supply; the Secretary to the Executive Council; the Federal Court; the Military Secretary to His Excellency the Viceroy; the Financial Commissioner, Railways; the Auditor General of India; the Central Board of Revenue; all Accountants General and Comptrollers; the Director of Audit, Defence Services; the Controller of Supply Accounts; the Deputy Accountants General under the Accountant -General, Posts and Telegraphs and the Accounts Officer, Telegraph Check Office, Calcutta.

Copy also forwarded to the Governments of Bombay, (with the request that Copies of the orders that may be issued from time to time regarding the admissibility of the allowance may kindly be supplied to the Government of India with as little delay as possible) and Ceylon.

By order, etc.,
S.RANGANATHAN,

Under Secy. to the Govt. of India.

GOVERNMENT OF BOMBAY, FINANCE DEPARTMENT, RESOLUTION NO.174, DATED THE 19th March, 1941.

Dearness Allowance-Grant of - to low-paid Government servants and to granted-aid establishments.

The Government of Bombay has had under consideration of granting relief to low-paid Government servants in the event of a material increase in cost of living on account of the war. Government has now approved the following scheme

(i) An allowance ~~of~~ at the flat rate of Rs.2 per mensem will be granted to Government servants who (a) if employed in Bombay City, are in receipt of emoluments not exceeding Rs. 29 per mensem.

(ii) Government servants in Bombay City whose emoluments exceed Rs. 39 per mensem but not Rs. 41 per mensem, and Government servants in the mofussil whose emoluments exceed Rs. 29 per mensem, but not Rs. 31 per mensem, will be granted such allowance as is necessary to make their epolumnents equal to Rs.41 per mensem and Rs.31 per mensem, respectively.

(iii) The allowance will be granted only when the Bombay City cost of living index stands at an average of 117, or above, over a period of three months, and will be drawn for the first time only in the following month without retrospective effect.

(iv) The allowance will be continued even if, after introduction, the index figure falls below 117 in a particular month, but will be discontinued if the average of the monthly index figures for three consecutive months falls below 117, the discontinuance taking effect only from the fourth month without retrospective effect.

(v) The allowance will be granted to whole-time Government servants who are borne on the regular establishment or are paid from contingencies.

(vi) Government servants on leave other than extraordinary leave (i.e.,without pay) will be eligible for the same allowance as would have been admissible to them had they not been onleave, whether the leave is on average (or full) pay, or half or quarter average pay.

(vii) Government servants who are discharged in the course of a month, e.g., temporay and officiating

Government servants, will be eligible for the allowance proportionately to the actual number of days of employment.

(viii) For the purpose of these orders, the term "emoluments will include the following:-

Pay proper, special pay, personal pay, and all allowances, except the following:-

(a) The monetary equivalent of rent-free quarters, and house rent allowance granted in lieu of free quarters;

(b) compensator, allowance admissibly under Appendix XVIII of the regarding the admissibility of the allowance for that month. The allowance due in respect of a particular month will be drawn in pay bills cashed in the following month.

Bombay Civil Services Rules, Volume II, travelling allowances, plague allowance and clothing allowance; and

(c) over-time allowance.

2. There are certain establishments under local authorities, on whose account Government pays a grant-in-aid. If a local authority introduces a scheme of dearness allowance for its low-paid employees, the expenditure incurred on that account will be admitted for the usual Government grant; provided that if the local authority scheme is more liberal than the Government scheme, the grant-in-aid will be limited to the amount that would have been payable had the terms been identical with those prescribed by Government.

GOVERNMENT OF BOMBAY, FINANCE DEPARTMENT, RESOLUTION NO.174, DATED THE 24th MARCH, 1941.

Dearness Allowance-Grant- of - to low-paid Government servants.

The following instructions are issued with reference to paragraph 1 of Government Resolution No. 174, Finance Department, dated the 19th March, 1941 :-

(i) Heads of Departments will receive intimation from Government every month regarding the admissibility of the allowance for that month. The allowance due in respect of a particular month will be drawn in pay bills cashed in the following month.

(ii) The allowance has become due in respect of the month of March, 1941. It should be drawn in pay bills cashed on the 1st April or thereafter.

(iii) A report should be submitted to the Finance Department as soon as possible by all Heads of Departments stating the amount of dearness allowance disbursed in respect of the month of March.

(iv) No provision for the payment of this allowance has been made in the budget estimates for 1941-42. The necessary funds will be sanctioned by Government in due course. All Heads of Departments should apply, by the end of December, 1941, at the latest, for additional funds to meet this expenditure after utilising savings, if any, from the grants placed at their disposal.

AKJ.

No. 2467-33.-G
10580

Finance Department.

Bombay Castle, 6th May 1941.

Subject :- Opening of a detailed head "Dearness allowance"

.....

Memorandum.

The undersigned presents compliments to the Accountant General and with reference to his letter No.T.M.22/359 dated 30th April 1941 is directed to inform him that a separate distinct detailed head "Dearness Allowance" may be opened under the relevant major and minor heads of accounts to record expenditure regarding dearness allowance to the low-paid Government servants in the Province of Bombay.

By order of the Governor of Bombay,

Sd/-
For Deputy Secretary to the Government of Bombay,
Finance Department.

Copies to all Departments of the Secretariat.

BKS. 23/5/ 4c.

R.I.No. 1971
27-2-41

Submitted.

2. The G.D. peon Dawood Chand has stated in his representation that Deptts such as H.D. R.D. and Finance have trained their own peons for doing roneo work. He has to do the roneo work of this Deptt. His request is that the Legal Deptt. should train their own peon to do this work as his own work in the G.D. is sufficiently heavy.

3. The G.D. has referred this to us for offering remarks as regards the proposal of training this Department peon for doing the roneo work.

4. On informal inquiry in the other Deptts it has been ascertained that the following Departments pay one of their peons Rs. 2 p.m. for roneo work:-

R.D.
F.D.
P.&S.D., and
H.D.
G.D.

5. This Department has also much roneo work to be done.

6. The peons are willing to learn the work provided they get the allowance of R.2 for doing it. To get the alloe of R. 2 for this purpose, sanction of the F.D. will be necessary. In the circumstances it is for orders as to what reply should be given to the G.D.

Sd/-
10-3-41.

BKS. 23/5/ 4c.

Supdt.

The papers may be returned with a remark that L.D. has no objection to have one of its peons trained in the ronco work and pay him R. 2/- p.m. as it appears it is the case in almost all the Depts of the Secretariat.

Sd/-
11/3

S.A.S.

I think we should train one of our own peons to do the work. We may first request F.D. to sanction the allowance of R. 2/- for such work for the peon in this Dept. who will be trained for such work. A

d/-S.B.P.
11/3

A.L.R. I agree with S.A.S. but before sending the papers on to F.D. would like to know whether such sanction has been obtained by the other depts. or whether it is unnecessary to obtain any such sanction.

Sd/-V.N.S.
13-3-41

Office

Submitted.

2. It has been ascertained informally from the other Deptts that they had obtained such sanction and that it is necessary to obtain the sanction.

Sd/-

19/3/41.

BKS 23/5/ 4c.

Supdt. Sd/-
20/3

S.A.S. Sd/-S.B.P. 20/3

A.L.R As at 'A' in the note of S.A.S. dated 11-3-41.

Sd/-V.N.S.
22-3-41

U.R. to F.D. No. 2624, dated the 24-3-1941.

BKS 23/5/ 4c.

Finance Department.

Attention is invited to G.D. Memo. No.S. 70-B dated 2.6.22 in which a duty allowance (special pay) of Rs.2 p.m. was sanctioned to a peon in General, Educational, Marine and Eccl, Deptts. for operating the roneo duplicator. (The latter two Deptts. were subsequently eliminated as the subjects dealt with by these Deptts. were transferred to the Poll. and Services- formerly Political and Poll. and Reforms - Deptt.). The circumstances in which the roneo duplication work of the L.D. came to be entrusted to the peon in the Genl. and Educal. Deptts. are not known. Presumably, the peon attached to the G.D. and who worked the roneo machine half day before peons in other Sectt. Deptts. were trained to operate the machine attended to the requirements of the L.D. and the arrangement would appear to have continued up-to-date. From the figures of daily average of duplication work in the G.D. called for by this Deptt. in connexion with the general question it will be seen that the duplication sheets average, between 404 and 1286 in G.D. as against corresponding 400 and 600 in the R.D. It may also be stated that the G.D. peon had approached Govt. sometime ago for increase in the amount of roneo allce. on the ground of increase in the volume of his duplication work. Govt. however rejected his application for increase in the flat rate of roneo. In the circumstances this request to be relieved of the duplication work of the L.D. appears reasonable. The L.D. states that it has much roneo work to be turned out along with other Sectt. Deptts. It is for consideration whether the details of this work should be called for before this Deptt. agrees to the proposal of the L.D. It is presumed that L.D. will meet the cost from its sanctioned grants & the proposal of that Dept. is sanctioned.

Sd/-
25-8-41

See para 4 on p.5 & state whether it is correct.

Sd/
20/3/41.

F.D.

BKS. 23/4/5/40.

Resubmitted with reference to D.S.'s orders on p.8 ante. The statement referred to by D.S. has been checked and found correct. The following orders contain sanction :-

F.D.	F.D. Memo. No.S.2-R.I. dated 23-2-20
R.D.	F.E. Memo. No.J-29 dated 25-6-20
P?& S.D.	P.& S.D. Memo. No.S.21-0,A. dated 25.3.38
H.D.	(No. and date of orders could not be obtained informally).
G.D.	G.D. No.S .70-B dated 2.6.22

Attention is invited to proceedings underlying P. & S.D. orders - vide pp.73-77 of thht Deptt. file No.S. 21. of 1938.

Sd/-
29-3-41

L.D. proposal may be agreed to, Subject to the presumption as "A" on P.3.

Sd/-
29/3

U.R. to L.D. dt. 31-3-41.

Rkm

BKS. 23/5/ 40.

No. 3750

Legal Department.

Bombay Castle, 28th April 1941.

Subject:- Special pay for operating the roneo duplicator.

MEMORANDUM.

The undersigned presents compliments to the Accountant General, Bombay, and is directed to convey the sanction of Government to a grant of special pay of Rs. 2/- p.m. to the Legal Department peon operating the roneo duplicator with effect from the 1st April 1941.

2. The charge should be met from the provision made for "Pay of Establishment" in the currect year's grant under 25, General Administration - Secretariat and Head Quarters Establishment - Legal Department.

By order of the Governor of Bombay,

Sd/-
for Secretary to the Governor of Bombay,

Legal Department.

Sd/E.D.R.
26/4/41

To

The Accountant General, Bombay (through the Finance Department).

Copy to

The Finance Department.

Orders issued in consultation with the Finance Department. Notes remain in this Department and can be seen when required.

BKS. 25/5/ 40.

No. 182/B. Finance Department.
Bombay Castle, 4th April 1941.

Subject:-Ronco allowances:
Grant of ------

Memorandum.

The undersigned presents compliments to the Secretary to Government, Legal Department, and in continuation of this Department Memorandum No.182-B dated 27th November 1940 is directed to request him to supply at an early date, the following information regarding ronco duplication work in his Department.

What is the daily average number of copies duplicated during each month, over a recent period, say for 12 months from 1st April 1939 ?

2. The papers relating to the grant of a ronco allowance, if any, may kindly be lent to this Department.

By order of the Governor of Bombay,

Sd/-

For Deputy Secretary to the Government of Bombay,
Finance Department.

No. 4009

Legal Department.

Bombay Castle, 5th May 1941.

Subject:- Ronco allowance:
Grant of -

Memorandum.

The undersigned presents compliments to the Deputy Secretary to Government, Finance Department and with reference to his Memorandum No. 182-B, dated the 4th April 1941, is directed to state that information regarding the daily average number of copies duplicated during each month etc. cannot be given as no statement of the actual work of roneoing was maintained so far. The papers relating to the grant of ronco allowance are sent herewith.

By order of the Governor of Bombay,

Sd/-
For Secretary to the Government of Bombay, Legal Department.

Sd/-D.K.L.
2/5

To

The Deputy Secretary to the Government of Bombay,

Finance Department.

Papers underlying L.D. Memo.No. 3750 dt.. 28-4-41.

BKS. 25/5/ 4c.

Dearness Allowance:
Grant of - to low-paid Government servants and to grant-in-aid establishments.

GOVERNMENT OF BOMBAY.

FINANCE DEPARTMENT.

Resolution No. 174.

Bombay Castle, 19th March 1941.

RESOLUTION OF GOVERNMENT.

The Government of Bombay has had under consideration the question of granting relief to low-paid Government servants in the event of a material increase in cost of living on account of the war. Government has now approved the following scheme:-

(i) An allowance at the flat rate of Rs.2 per mensem will be granted to Government servants who (a) if employed in Bombay City, are in receipt of emoluments not exceeding Rs. 39 per mensem; or (b) if employed in the mofussil, are in receipt of emoluments not exceeding Rs. 29 per mensem.

(ii) Government servants in Bombay City whose emoluments exceed Rs.39 per mensem but not Rs.41 per mensem, and Government servants in the mofussil whose emoluments exceed Rs.29 per mensem, but not Rs.31 per mensem, will be granted such allowance as is necessary to make their emoluments equal to Rs. 41 mensem and Rs.31 per mensem, respectively.

(iii) The allowance will be granted only when the Bombay City cost of living index stands at an average of 117, or above, over a period of three consecutive months, and will be drawn for the first time only in the following month without retrospective effect.

(iv) The allowance will be continued even if, after introduction, the index figure falls below 117 in a particular month, but will be discontinued if the average of the monthly index figures for three consecutive months falls below 117, the discontinuance taking effect only from the fourth month without retrospective effect.

(v) The allowance will be granted to whole-time Government servants who are borne on the regular establishment or are paid from contingencies.

(vi) Government servants on leave other than extraordinary leave (i.e., without pay) will be eligible for the same allowance as would have been admissible to them had they not been on leave, whether the leave is on average (or full) pay , or half or quarter average pay.

(vii) Government servants who are discharged in the course of a month, e.g., temporary and officiating Government servants, will be eligible for the allowance proportionately to the actual number of days of employment.

(viii) For the purpose of these orders, the term "emoluments" will include the following :-

Pay proper, special pay, personal pay, and all allowances except the following :-

(a) the monetary equivalent of rent-free quarters, and house rent allowance granted in lieu of free quarters;

(b) compensatory allowance admissible under Appendix XVIII of the Bombay Civil Services Rules, Volume II, travelling allowances, plague allowance and clothing allowance; and

(c) over-time allowance.
L Fin H 56(d) night duty allowance.
IX) Inserted by G.R.F.D. No. 174 dt. 23/6/43.
X)

(XI) See Slip 'A'.

2. There are certain establishments under local authorities, on whose account Government pays a grant-in-aid. If a local authority introduces a scheme of dearness allowance for its low-paid employees, the expenditure incurred on that account will be admitted for the usual Government grant; provided that, if the local authority scheme is more liberal than the Government scheme, the grant in-aid will be limited to the amount that would have been payable had the terms been identical with those prescribed by Government.

By order of the Governor of Bombay,

H. V. R. IENGAR,

Secretary to Government.

G.R., No. 174, F.D., dated the 19th March 1941.

To

The Accountant General,
The Secretary to the Governor,
The Military Secretary to His Excellency the Governor,
The Secretary, Bombay-Sind Public Service Commission,
*The Prothonotary and Senior Master, His Majesty's High Court, Bombay,
*The Registrar of His Majesty's High Court of Judicature, Appellate Side, Bombay,
All other Heads of Departments under the sex several Departments of the Secretariat,
All Departments of the Secretariat.

*By letter.

No. of 1941.

Copy forwarded for information and guidance to

BKS. 25/5/ 4c.

Slip 'A'

FINANCE DEPARTMENT.

Resolution No. 174

Bombay Castle, 20th June 1945.

Resolution.- The following shall be added as clause (xi) to paragraph 1 of Government Resolution, Finance Department, No. 174 , dated 19th March 1941, as amended from time to time:-

"(xi) (a) When a Government servant is transferred from one place to another and the rates of the allowance and the limits of emoluments applicable to the two places are identical, the total emoluments (including those admissible for the period of joining time) should be taken into account for the purposes of determining the amount of the allowance admissible to such a Government servant.

(b) In cases in which the rates and the limits are not identical, the allowance should be calculated separately in respect of each place on the basis of the rates and limits applicable thereto, the allowance for the period of joining time being calculated at the lower of the two rates thus arrived at. War allowance and dearness allowance, being allowances granted for the same purpose, should be treated as one and the same allowance in determining this lower of the two rates."

Dearness Allowance:
Grant of - to low-paid Government servants.

GOVERNMENT OF BOMBAY.

FINANCE DEPARTMENT.

Resolution No. 174.

Resolution

Bombay Castle, 24th March 1941.

RESOLUTION OF GOVERNMENT.

The following instructions are issued, with reference to paragraph 1 of Government Resolution No. 174, Finance Department, dated the 19th March 1941:-

(i) Heads of Departments will receive intimation from Government every month regarding the admissibility of the allowance for that month. The allowance due in respect of a particular month will be drawn in pay bills cashed in the following month.

(ii) The allowance has become due in respect of the month of March, 1941. It should be drawn in pay bills cashed on the 1st April or thereafter.

(iii) A report should be submitted to the Finance Department as soon as possible by all Heads of Departments stating the amount of dearness allowance disbursed in respect of the month of March.

(iv) No provision for the payment of this allowance has been made in the budget estimates of for 1941-42. The necessary funds will be sanctioned by Government in due course. All Heads of Departments should apply, by the end of December, 1941, at the latest, for additional funds to meet this expenditure, after utilising savings, if any, from the grants placed at their disposal.

By order of the Governor of Bombay,

H. V. R. IENGAR.
Secretary to Government.

G. R., No.174, F.D., dated the 24th March 1941.

To
The Accountant General,
The Secretary to the Governor,
The Military Secretary to His Excellency the Governor,
The Secretary, Bombay-Sind Public Service Commission,
The Prothonotary and Senior Master, His Majesty's High Court, Bombay,
The Registrar of His Majesty's High Court of Judicature, Appellate Side , Bombay,
All other Heads of Departments under the several Departments of the Secretariat,
All Departments of the Secretariat.

*By letter.
No. of 1941.

Copy forwarded for information and guidance to

BKS. 25/5/ 4c.

No. 3519

Legal Department,

Bombay Castle, 22nd April 1941.

Subject:- Dearness Allowance.

MEMORANDUM.

The undersigned presents compliments to the Secretary to the Government of Bombay, Finance Department, and with reference to paragraph (iii) of Government Resolution, Finance Department, No. 174, dated the 24th March 1941, is directed to state that the amount of dearness allowance disbursed by this Department in respect of the month of March 1941 is Rs. 31-12-0.

By order of the Governor of Bombay,

Sd/-S.B.P.

For Secretary to the Government of Bombay,
Legal Department.

To

The Secretary tothe Government of Bombay,
Finance Department.

BKS. 25/5/ 40.

R.I.No.3800
25-4-41.

Submitted.

*h.6

2. The repors regarding the cost of dearnes allce for March read from Govt. High Court may be forwarded to the F.D. Necessary endorst. is put up ante for signatur

*No. 3809, dt. 29/4/41.

Sd/-D.S.F
26-4-41.

Supdt. Sd/-

S.A.S. Sd/-S.B.F.
28/4

BKS. 25/5/ 40.

Dearness Allowance:

Grant of - to low-paid Government servants.

GOVERNMENT OF BOMBAY.

FINANCE DEPARTMENT.

Resolution No. 174.

Bombay Castle, 16th April 1941.

Read Government Resolutions No. 174, dated 19th March 1941 and 24th March 1941.

RESOLUTION.- The dearness allowance under the scheme sanctioned in Government Resolution No. 174 dated 19th March 1941 has become due in respect of the month of April 1941. It should be drawn in pay bills cashed on the 1st May or thereafter.

By order of the Governor of Bombay,

M. D. BHANSALI,

Secretary to Government.

To

The Accountant General, Bombay,
The Secretary to the Governor,
The Military Secretary to His Excellency the Governor
The Secretary, Bombay-Sind Public Service Commission,
The Examiner, Local Fund Accounts,
The Prothonotary and Senior Master, His Majesty's High Court, Bombay,
The Registrar of His Majesty's High Court of Judicature, Appellate Side, Bombay,
The Collectors (with extra copies for supply to local bodies).
All other Heads of Departments under the several Departments of the Secretariat,
All Departments of the Secretariat,
The Secretary to the Government of India, Finance Department.

*By letter.

No. of 1941.

Copy forwarded for information and guidance to

~~No. 3708 dt. 26.4.41.~~

KS 25/5/ 4c.

Dearness Allowance:
Grant of - to low-paid Government servants.

GOVERNMENT OF BOMBAY.

FINANCE DEPARTMENT.

Resolution No. 174.

Bombay Castle, 9th May 1941.

Read Government Resolution No. 174, dated 19th March 1941 and 24th March 1941.

RESOLUTION.-The dearness allowance under the scheme sanctioned in Government Resolution No. 174 dated 19th March 1941 has become due in respect of the month of May 1941. It should be drawn in pay bills cashed on the 1st June or thereafter.

By order of the Governor of Bombay,

M. D. MANSALI,

Secretary to Government.

To

The Accountant General, Bombay,
etc., etc.

R.I.No.4465
15-5-41.

*By letter.

No. 4576 dt. 17th May 1941.

Copy forwarded for information and guidance to

Sd/-D.B.P.
16/5/41.

Supdt. Sd/-J.D.
17/5

Sd/-S.B.P.
17/5

S.A.S.

BKS. 25/5/ 4c.

Dearness Allowance:
Grant of - to low-paid Government servants.

GOVERNMENT OF BOMBAY.

FINANCE DEPARTMENT.

Resolution No. 174.

Bombay Castle, 5th June 1941.

Read Government Resolution No. 174, dated 19th March 1941 and 24th March 1941.

RESOLUTION.-The dearness allowance under the scheme sanctioned in Government Resolution No. 174 dated 19th March 1941 has become due in respect of the month of June 1941. It should be drawn in pay bills cashed on the 1st July or thereafter.

By order of the Governor of Bombay,

H. V. R. IENGAR,
Secretary to Government.

To

The Accountant General, Bombay,
etc., etc.

R.I.No. 5440 19-6-41. *By letter.

L.D. 25th June 1941.

No. 5603 of 1941.

Copy forwarded for information and guidance to

BKS. 25/5/ 4c.

GENERAL LETTER No. 5.
(No.T.M.22/695.)

Legal Department.
File No. 5767
Sub No. 0/3-7-41

OFFICE OF THE ACCOUNTANT GENERAL,
Bombay, the 30th June 1941.

From

THE ACCOUNTANT GENERAL,
BOMBAY.

To

All the Heads of Departments in the Province of Bombay under the audit of the Accountant General, Bombay.

Subject:- Classification of the dearness allowance paid to the low paid Government servants in the Province of Bombay.

Sir,

I have the honour mf to invitea reference to Government Resolution, Finance Department No. 174 dated 19-3-41 and Government of India, Finance Department Notification No. 44(4).R.11-40 dated 27-3-41 regarding the grant of dearness allowance to the low paid Government servants of the Provincial and Central Government employed in the Province of Bombay and to state that it has been decided that this class of expenditure in your Department, is to be recorded under a distint detailed head of account viz. "Dearness allowance" mr under the primary units, "Allowances and Honoraria" or "Contingencies" as the case may be according as pay of Government servants concerned is debited to the grant under "Pay of establishment" or "Contingencies". It is requested that in all vouchers, pay bills and contingent bills the payments on account of dearness allowance should be distinctly classified and that your subordinate officers may be instructed accordingly.

I have the honour to be
Sir,
Your most obedient servant.

Sd/-
DEPUTY ACCOUNTANT GENERAL.

BKS. 25/5/ 4c.

R.I.No. 5767
3-7-41.

Submitted for information .

2. The expenditure incurred on account of "dearness allce" is correctly recorded under the head "Dearness Allce". No further action is necessary in this office. A copy of the A.G's letter may be forwarded to the

Secy., B.L.A.

Secy. B.I.C; and

C.P.,High Court, Bombay as this Cir.. is only addressed to ths Heads of Deptts. A draft is put up for approval & signature.

Sd/-D.~~S~~.P.
11.7.41.

Supdt. Sd/-J.D.
14/7

O.A.S. Sd/-S.B.P.
15/7

A.L.R. Sd/-M.R.D.
16/7

BKS 25/5/ 4c.

Below copy of Accountant General's general letter No. 5 (T.M.22/655) dated 30th June 1941.

No. 6243.

Legal Department.

Bombay Castle, 17th July 1941.

Forwarded to the -

Secretary, Bombay Legislative Council,
Secretary, Bombay Legislative Assembly.
Government Pleader, High Court, Bombay,

for information and guidance.

Sd/-S.B.P.
for Secretary to the Government of Bombay,
Legal Department.

BKS. 25/5/ 4c.

Dearness Allowance:
Grant of - to low-paid Government servants.

GOVERNMENT OF BOMBAY.

FINANCE DEPARTMENT.

Resolution No. 174.

Bombay Castle, 19th July 1941.

Read Government Resolutions No. 174 dated 19th March 1941 and 24th March 1941.

RESOLUTION.- The dearness allowance under the scheme sanctioned in Government Resolution No. 174 dated 19th March 1941 has become due in respect of the month of July 1941. It should be drawn in pay bills cashed on the 1st August or thereafter.

2. In modification of the procedure prescrib d in Government Resolution No. 174, dated the 24th March 1941 Heads of departments are informed that the allowance may be drawn until further notice without specific authority each month. They will be informed when the allowance should not be drawn.

By order of the Governor of Bombay ,

H. V. R. IENGAR,
Secretary to Government.

To

The Accountant General, Bombay,
etc., etc.

R.I.No. 6341/19/7 *By letter.

No. 6530 of 1941 dt. 25-7-1941.

Copy forwarded for information and guidance to The

G.P.High Court Bombay.

BRB. 25/5/ 4c.

Dearness Allowance:
Grant of - to members of work-charged establishment paid at monthly rates.

GOVERNMENT OF BOMBAY.

FINANCE DEPARTMENT.

Resolution No. 174.

Bombay Castle, 30th August 1941.

GOVERNMENT RESOLUTION.

Government is pleased to direct that the orders regarding dearness allowance contained in Government Resolution , Finance Department, No.174 dated 19th March 1941 should be applied to members of work charged establishments who are paid at monthly rates.

2. This order comes into effect from the 1st August 1941 i.e., it will apply to pay bills to be cashed on the 1st September and thereafter.

By order of the Governor of Bombay,

H. V. R. IENGAR,

Secretary to Government.

X For revised orders please see G.R.F.D. No. 174, dt. 18-3-42 R.I.No. 3354/8/4/42 & G.R.F.D.No. 174, dt.31.7.4

Tp

The Accountant General
Bombay,

etc., etc.

R.E. 7698
5/8/42

R.I.No. 8521
3-9-41.

*By letter.

No. of 1941.

Copy forwarded for information and guidance to

DKS- 25/5/ 4c.

Bombay , 23rd August 1941.

To

The Secretary to Government,

Legal Department, Bombay.

Sir,

I the undersigned most respectfully beg to place the following few lines for your favourable consideration:

(i) Recently special pay of Rs. 2/- p.m. has been sanctioned by Government for doing Romeo work and the same is drawn by peon Mahomed Ismail as he is the most senior peon just below the Naik.

(ii) At present Havaldar Ganpat Ramji is on leave for about 3 weeks. Consequently Naik Shaikh Abdul Razak will act as Havaldar and peon Mahomed Ismail will act as Naik vice Shaikh Abdul Razak. Thus he will be benefitted by two allowances (i) Romeo allowance and (ii) officiating pay.

It appears that the practice is to give the Romeo allowance to most of the senior peons. If so, whom Mahomed Ismail will be officiating as Naik, I request that the Romeo allowance may kindly be sanctioned to me being the next senior peon to Mahomed Ismail for which act of kindness I will be ever grateful.

I beg to remain,

Sir,

Your most obedient Servant,

(Sd) Keshaw Mahadeo

Peon Legal Department.

Sd/-S.B.P.
25/8

'C'

BKB. 25/8/ 40.

R.I.No. 8265
27.8.41

Submitted with pp.

2. This is an application from peon Keshav requesting that ronco allowance of R.2 P.M. may be given to him during the period peon Mohamad is officiating as Naik in Havaldar Ganpat's leave vacancy.

3. Peon Mohamad while officiating as Naik gets R.2 more which is equal to the Ronco allowance which he draws. Orders may therefore be passed to give the ronco allowance of R.2 P.M. to peon Keshav the next senior peon while peon Mohamad is officiating as Naik. He says he knows the ronco work.

Sd/- D.W.R.P.
Supdt. 4-9-41

The allowance is for the peon operating the ronco duplicator. Peon Mahomed has been trained for it & has been doing it.

It is perhaps not intended that a Naik should not operate the ronco duplicator or staff operating it the moment he happens to be officiating temporarily as Naik. In the present instance he is now officiating as Naik for 19 days spread in two months i.e. from 19/8/41 to 6/9/41 It does not therefore appear necessary that any other peon should take up his place for operating the ronco. The peon Keshav is not trained for the work but he says that he will be able to do it.

Any chance in this arrangement need perhaps only be made when Peon Mahomed is appointed permanently as Naik or when he proceeds or leave.

Sd/-
6/9

S.A.S.? The allowance may be ~~S.A.S.~~ given to peon Keshav if as he says he can do the roneo work. | A

Sd/-S.B.P. 8/9

A.L.R. Please verfiy 'A'. During the leave period from 19-8-41 to 6-9-41 was there any roneo work & if yes who did it actually ?

Sd/-V.N.S.
10-9-41. Office.

Submitted with reference to A.L.R.'s note ante.

2. It is difficult to verify "A" beyond the statement made by the peon himself that he knows the roneo work. ~~during~~ As regards roneo work during 19-8-41 to 6-9-41 it has been ascertained, that there was roneo work to be done on four or five occasions and that it was attended to by peon Mohamed who has also but in a represen-tation on the point which is put herewith.

Sd/- D.R.P.
11/9/41.

BKS. 25/5/ 4c.

Supdt.

Sd/-

12/9.

A.L.R. I think that the Roneo allowance should be paid to the person who actually did the roneo work and it is I think immaterial whether such person is a peon or a naik or a havaldar, officiating or permanent.

Sd/- V.N.S.

16/9/41

D.S. Sd/-
17/9

Secy. Sd/-
17/9

BKS. 25/5/ 4c.

Bombay , 9th September 1941.

To

The Assistant Secretary to Government,
Legal Department , Secretariat,
Bombay.

Sir,

I, the undersigned, most respectfully beg to state that ever since the Romeo work was started to be done in this department I have been doing it, for which I get an allowance of Rs.2/- per month. When Naik Gampat went on leave recently, I was promoted to the post of Naik and peon Keshav occupied my post. However, even when acting as Naik, I continued to do the Romeo work in addition to my own duties as a Naik. I now understand that Peon Keshav has applied for the grant of the Romeo allowance to him for the period during which he worked in my place. I, however, respectfully submit that even though normally Peon Keshav worked in my place, the Romeo work was done by me and, therefore, in fairness the allowance should be kindly granted to me as usual.

I leave the matter entirely to the discretion of the Assistant Secretary.

I beg to remian,
Sir,
Your most obedient servant,

Sd/- [illegible]

BKS 25/5/ 40.

(Below copies of --

(i) Government of India, Finance Department letter No.D/5246-F dated 4th October 1939 and its accompaniment.

(ii) this Government letter No.4281/33-C dated 18th December 1939.

(iii) Government of India, Finance Department letter No.D. 6583- F/41 dated 18th July 1941 and its accompaniment).

No. 4281/33-C.

Finance Department.

Bombay Castle, 14th August 1941.

Forwarded with compliments for information and guidance to ----

All Departments of the Secretariat,

The Accountant General, Bombay.

By order of the Governor of Bombay,

Sd/-

For Deputy Secretary to the Government of Bombay, Finance Department.

BKS. 25/5/ 4c.

No. D/5246-F.

GOVERNMENT OF INDIA.

FINANCE DEPARTMENT.

Simla, the 4th October 1939.

From

Mohamad Ali, Esquire, M.Sc.,

Under Secretary to the Government of India.

To

The Financial Secretaries of all

Provincial Governments.

Subject :- Incidence of Pay and Allowances, etc., other than leave salaries.

Sir,

I am directed to enclose a copy of the draft rules prepared by the Auditor General for regulating the incidence of Pay and Allowances, etc., other than leave salaries of Government servants transferred from one Government to another and to request that the concurrence of the Provincial Governments in the draft rules may kindly be communicated to this Department at an early date. Pending the acceptance by the Provincial Governments, these rules are being incorporated in the New Accountant-Code as an Appendix to Volume I thereof.

2. The draft rules are generally based on the existing rules on the subject contained in Articles 182,184,186 and 187 of the Audit Code Volume I and in a pragraph 441 of the Military Account Code. For facility of reference the relevant existing rules have been quoted against the draft rules.

I have the honour to be,
Sir,
Your most obedient servant,

Sd/-Mohamad Ali,

Under Secretary to the Government of India.

---No.D/5246-F.

Copy forwarded to the Auditor General.

BKS. 25/5/ 40.

Incidence of pay and allowances etc., other than leave salaries.

Note 1 below articles 182(c) and article 186 Audit Code, Volume I.)

1. Subject to any other arrangements which may be settled mutually between the Governments concerned, the incidence of transit pay and allowances including travelling allowances of a Government servant transferred from one Government to another, will be regulated in accordance with the following principles :-

(i) When a Government servant is transferred permanently from one Government to another, his transit pay and allowances including travelling allowances shall be borne by the Government to which he is transferred.

(ii) When the services of a Government servant are lent by one Government to another the transit pay and allowances including travelling allowances while he is joining in and leaving the new service shall be debited to the borrowing Government. This principle applies even in cases where the Government servant lent takes leave either before joining the borrowing Government or before rejoining the lending Government and holds good even in respect of joining time admissible to a Government servant returning from leave out of India of more than four months' duration. For this purpose officers of the Indian Medical Service employed under Provincial Governments should in all cases be regarded as lent to those Governments by the ~~#~~ Central Government (Defence Department).

(iii) In the case of an officer in a joint cadre serving two Governments, his transit pay and allowances including travelling allowances on transfer from one office to another shall be debited to the office to which he is proceeding.

Article 182(9) of Audit Code, Volume I.

2. When a Military or Medical officer holding a civil post on consolidated pay which is less than his military pay is allowed to draw the difference between them, he draws it from the department- Central or Provincial - from which he receives his consolidated pay.

(paragraph 441 of Military Account Code as amended by correction slip No. 366 of June 1938.)

3. The following rules govern the incidence of the cost of troops lent to civil departments of the Central Government and to Provincial Governments. The words 'military' and 'troops' are used to include Royal Indian Navy and the Air Force as well as the Army.

(1) When troops are required on duties of a 'military' nature (e.g. ceremonial purposes and provision of escorts or guards of honour in circumstances not covered by instructions 771, 772 and 775 of the Regulations for the Army in India (1937 Edition) and flag marches when they fall into the category of cases involving duties of a military nature and when they are not connected with the maintenance of law and order) the extra cost if any, of supplying the services required (e.g. in the way of transport, equipment etc.) will be met by a contribution from Provincial revenues or the revenues of the Civil Department concerned of the Central Government to the Defence Services Estimate

Note - The cases in which flag marches come within the scope of this rule will be decided by the Central Government.

(2) When troops are employed by civil on duties of a 'non-military' nature (e.g. on occasions of public calamities or emergencies such as fires, earthquakes, floods, famines and strikes), the Provincial Governments or the Civil departments concerned will be liable to bear the following charges unless they are waived by the Central Government for an exceptional reasons :-

(a) In strikes, etc., for carrying on essential public services.- The complete cost of the

(a) force including ordinary pay and allowances, extra cost of transport, ~~maintenance~~ equipment (including loss and repair expenses, etc.) and extraordinary charges in the shape of special pay or transport of stores to the personnel engaged at the rates laid down in paragraphs 397 to 399, Pay and Allowance Regulations, Part -I and Rule 491 Regulations for the Army in India.

(b) In fires, floods, famines, earthquakes, and other calamities of a nature.- All extra cost involved in the way of transport, equipment, etc. and all extraordinary expenses in the shape of special pay or the supply of stores to the personnel engaged at the rates laid down in paragraphs 397 to 399, Pay and Allowance Regulations, Part I, and Rule 491, Regulations for the Army in India.

Note - In addition, when troops are employed on duties falling under either clause (a) or (b) above, the Provincial Government or the Civil Department concerned of the Central Government will be liable for all loss or damage to property (including military) and also for all pensionary awards made in respect of casualties arising directly out of the employment

(3) The full cost of employing troops in aid of the Civil power for the prevention or suppression of disorder will be met by the Central Government from Defence Services Estimates; but it will be open to the Civil Department of the Central Government or the Provincial Government concerned to contribute towards the cost, if they wish to do so. The Provincial Governments or the Civil Departments concerned will nevertheless be liable for the payment of any compensation that may become payable in respect of any damage done when troops are employed in aid of the Civil power.

Paragraph 441 of the

4. Rewards for proficiency in oriental languages

Military Account Code as amended by correction slip No.335 of January 1937)

paid to a military officer from the Defence Services Estimates during the three years preceding his transfer to other Departments of the Central Government or to Provincial Governments will be recovered by the Controller of Military Accounts and Pensions, Lahore, from the Department or Government concerned on confirmation of the officer in his civil appointment.

Rewards to Military officers in temporary civil employ under the Central or Provincial Governments for proficiency in oriental languages are paid by the Controller of Military Accounts and Pensions, Lahore, from the Defence Services Estimates in the first instance. On confirmation of an officer in the civil department, the Controller of Military Accounts and Pensions, Lahore will recover from the department or Provincial Government concerned, the amount of any language rewards paid to the officer from the Defence Services Estimates.

The amount recoverable from the civil department of the Central Government or from the Provincial Government in those cases is the civil rate of language reward as published by the Department of Education, Health and Lands; but in the case of officers of the category referred to in sub-clause 1 above the difference between the military and the civil rates of awards is recoverable from the officers themselves in instalments of Rs.50 per mensem.

(Language Regulations, India, page 38 as inserted by correction slip No.32 of April 1938).

Note- Rewards for passing the Lower and Higher Standard examinations in Urdu by officers in temporary civil employ are not refundable to the Defence Services Estimates.

Article 182(k) of Audit Code, Volume I.

5. When soldiers, either British or Indian, are sent under Military escort from one station to another to stand trial on a criminal charge, they will travel like any other party of soldiers on duty, under a warrant furnished by the Military authorities, the charge being met from the Defence Services Estimates. When a soldier is conducted by a Police escort, the charge will be Civil;

the warrant issued in such cases should include the accused as he is a soldier proceeding to a certain place under the orders of his Military superior and therefore on duty.

(Article 182 (m) of Audit Code, Volume I).

6. Civilian Government servants, who belonging to the Army in India Reserve of officers, when called up for training, receive the following emoluments -

(i) when proceeding to carry out their training direct from their civil appointments, the pay and allowances which they would have drawn in their civil appointments but for the training, for the whole period of absence on such training inclusive of the time spent in transit to and fro ;

(ii) when proceeding to carry out their training while on leave in India, Burma, Ceylon, Great Britain or Northern Ireland, the civil leave pay and allowances which they would have drawn but for the training;

(iii) when proceeding to carry out their training on the expiry of leave out of India taken from their civil appointments but before rejoining their civil appointments for duty, joining time civil pay from the date of disembarkation in India to the date preceding that on which their training commenced and full civil pay for the period of actual training and the period spent in journeying to the place of their civil appointments; and

(iv) Military pay and allowances for the period of actual training.

The emoluments drawn under (i) to (iii) are debitable to the civil - Central or Provincial Estimates and that under (iv) to the Defence Services Estimates

If it is necessary to provide a substitute in

the place of such an officer undergoing training the additional cost will be a charge on Civil Estimates.

(Article 182 (n) of Audit Code Volume I).

7. Reservists of the Indian Army employed under the Central or Provincial Governments will, when called up for periodical military training, receive military pay and allowances. They will also receive the excess, if any of their civil pay over their military pay provided that this concession is specifically sanctioned by the Department of the Government of India or the head of the attached or subordinate office concerned, or by the Provincial Government in whose employ the reservists are serving in their civil capacity. Except where the civil pay of the reservists is met from the Defence Services Estimates the extra expenditure involved will not constitute a charge against the Defence Services Estimates.

(Article 182 (o) of Audit Code Volume I.).

8. The pay and allowances of a British ~~Service~~ Service Officer, whose unit is not represented on the Indian establishment and who is supernumerary on vacating an appointment on the personal staff of a Governor of Province or any other staff or extra regimental appointment under a Provincial Government, should be debited to the revenues of the Provincial Government concerned up to the date of the officer's absorption into the establishment of his regiment. This decision will be applied in the case of officers whose services are lent to a Provincial Government on, or after, the 1st January 1934.

(Article 182 (p) of Audit Code Volume I)

9. The Military and allowances drawn under paragraph 250 of the Regulations for the Auxiliary Force, India, by a civilian Government servant who is a member of the Auxiliary Force, India on his being called out or embodied under section 18 of the Auxiliary Force Act, are borne by the Defence Services Estimates. In cases in which the Government servant draws, in such circumstances, civil rates of pay, the amount, if any, by which those rates of pay exceed military pay and allowances is debitable to the ordinary head of expenditure to which the civil pay of the individual concerned is debitable.

(Article 184(d) of Audit Code, Volume I).

10. Travelling allowance Telegraph signallers' accompanying Provincial Governors and other high officials on tour is debited to the Department concerned, although their pay for the period is debited to the Telegraph Department.

(Article 184(g) of Audit Code, Volume I).

11. A European non-commissioned officer or soldier on obtaining Civil employment is ordinarily required to buy his discharge from the Army; but, if such a person dies in Civil employ while under a military contract of service, the Civil Department of the Central or the Provincial Government in which he was serving will bear the charge of any passage money which, under Military pay regulations, may be admissible to his family.

(Article 187 of Audit Code Volume I)

12. The pay and allowances of a Government servant summoned to give evidence in his ~~official~~ official capacity in a Criminal Court or in a Civil Court or in a case in which Government is a party are, during the period of his absence, debited to the Government under which he is employed. Actual expenses under the rules of the court if admissible are however payable by the court and debited to court contingencies.

13. These rules apply to the Department of the Crown Representative as they apply to a Department of the Central Government (Civil).

BKS. 25/5/ 40.

No. 4281/33-C.

Finance Department.

Bombay Castle, 18th December 1939.

From

J.Santos, Esquire,

Deputy Secretary to the Government of Bombay,

Finance Department.

To

The Secretary to the Government of India,

Finance Department.

Subject :- Incidence of pay, allowances, etc., other than leave salaries.

Sir,

With reference to Mr.Mohamad Ali's letter No. D/5246-F dated 4th October 1939, on the subject noted above, I am directed to state that this Government concurs in the draft rules referred to therein.

I have the honour to be,

Sir,

Your most obedient servant,

J. Santos,

Deputy Secretary to the Government of Bombay,

Finance Department.

BKS. 26/3/ 40.

No. D.6523-F/41.

Government of India.

Finance Department.

New Delhi, the 18th July 1941.

From

S.A.Hasnie, Esquire,

Under Secretary to the Government of India.

To

The Financial Secretaries of all Provincial Governments.

Subject :- Incidence of pay and allowances,etc., other than leave salaries of Government servants transferred from one Government to another.

Sir,

With reference to the replies received to this Department's letter No.D.5246-F, dated the 4th October, 1939 on the subject noted above, I am directed to say that the majority of the Provincial Governments have approved of the draft rules in respect of incidence of pay and allowances etc., other than leave salaries of Government servants transferred from one Government to another. As a result, however, of the suggestions made by certain Provincial Governments and by the Crown Representative, rules 1(ii), 8,12 and 13 have been amended, in consultation with the Auditor General, vide the enclosed correction slip. These amendments are explained below briefly :--

Rule 1(ii) The amendment merely brings the rules into accord with Fundamental Rule 105(c), and meets the point taken by the Government of the Punjab.

Rule 8.- The amendment in this case is based on a recent arrangement reached between the Government of India and the War Office. It also meets the point taken by the Government of Bihar.

Rule 12.(a) is intended to regularise the conventions existing at present between certain Governments, and to meet the points taken by the Governments of the Punjab, Madras and Orissa, while (b) is only formal, and calls for no comments, ~~Rule~~ --

Rule 13. This has been amended at the instance of the Crown Representative, and does not concern the Provincial Governments.

2. The rules, as now amended, may be taken as having been finally adopted.

3. With regard to rule 3, I am to explain that as all cases of compensation for loss or damage done by troops employed inaid of the civil power will be duly investigated and decided on their merits, the Government of India do not think that any special provision is necessary to meet the point raised by the Provincial Government.

4. As regards rule 4, it may be stated that the rule is based on the decision arrived at in the case of military officers transferred to the Political Department, and it has been held in that connection that the Primary object underlying the grant of language rewards to military officers is that the value of their services to the Army is enhanced by the proficiency acquired by them in various languages. If such officers by their transfer to civil employ are not available for military duty, it is reasonable for the civil Department who can utilise their experience and proficiency in any particular language, to refund to the Defence Department any reward disbursed by that Department within the period of three years preceding the transfer. In view of this, and in view of the fact that no other Provincial Government has raised any objection to this rule, the Government of India trust that the Government of Bihar will not press its point.

5. I am to add that the refund mentioned in the note below rule 4 refers to the entire tuition grant of Rs.300/- paid out of the Defence Services Estimates.

6. The omission of the provisions of Article 182(d) of the Audit Code, Volume I, from the Incidence Rules is intentional as I.M.S. officers in civil employ are no longer sent on deputation to the senior officer's course at the Royal Army Medical Corps College, Mill bank.

I have the honour to be
Sir,
Your most obedient Servant,

Sd/- S.A.Hasnie,

Under Secretary to the Government of India.

( ) To Bihar only.
( ) To Orissa only.

BKS. 26/5/ 40.

Draft corrections, Account Code, Volume I.

No.

Page 44- Appendix 3 - B.Pay, Allowances, Pensions, etc.-I-Incidence of Pay and Allowances, other than leave salaries.

Rule 1(ii)
Add the following at the end of the second sentence in this Rule:- "(the term "four months" being interpreted to mean "90 days" in the case of Government servants subject to the Revised Leave Rules).

No.

Page 46--Appendix 3-B-Pay , Allowances, Pensions, etc I--Incidence of Pay and Allowances, other than leave salaries.

Rule 8-
For the words 'officer's absorption into the establishment of his regiment' occurring in line 6 of this Rule, substitute the words 'officer's date of disembarkation in the United Kingdom'.

No....

Page 47-Appendix 3-B-Pay, Allowances, Pensions, etc.- I-Incidence of Pay and Allowances, other than leave salaries

Rule 12.

(a) Add the following at the beginning of this Rule:-

'Subject to any separate agreements that have been or may be arrived at between the various Governments'.

(b) Add the words 'including travelling allowance' after the words 'pay and allowances' in line 1 of this rule.

Corrections to Account Code, Volume I.

No. 2.

Page 47, Appendix 3-B-Pay, Allowances, Pensions, etc.- I-Incidence of Pay and Allowances, other than leave salaries

Rule 13-
Substitute the following for this rule:-

"Subject to the provisions of section 286 of the Government of India Act, 1935, as respects the incidence of the cost of armed forces employed at the instance of the Crown Representative in exercise of the functions of the Crown in its relations with Indian States, these rules apply to the Department of the Crown Representative as they apply to a Department of the Central Government (Civil)."

BKS. 26/5/ 4c.

Passages:

Rebate allowed by Shipping Com-panies on --- arranged for by Government and paid from public funds.

GOVERNMENT OF BOMBAY.
Finance Department.
Resolution No.5472.

Bombay Castle, 15th September 1941.

Letter from the Government of India, Defence Department (Army Branch), No.54472/Q-2(c), dated 30th July 1941 :--

"In continuation of this Department letter No. 54472/Q-2 (C) dated the 3rd April 1941, I am directed to forward a copy of the marginally noted correspondence regarding an addition to

*Telegram No.3219, dated the 9th June 1941 to the Secretary of State.	Schedule I of the revised
*Telegram No.8536, dated the 22nd July 1941 from the Secretary of State	agreement between the Director of Sea Transport Ministry of Shipping,

66

and the Peninsular and Oriental, British India and Orient Steam Navigation Companies".

RESOLUTION.:- Copies of the letter from the Government of India and of its accompaniments should be forwarded to the Officers and Departments concerned in continuation of Government Resolution No.5472 dated 19th May 1941

By order of the Governor of Bombay,

V.SHANKAR,

Deputy Secretary to Government.

To

The Accountant General, Bombay,

The Secretary to the Governor,

All Departments of the Secretariat.

X Vide preamble of Government Resolution No.5472 dated 19-5-41.

Typed as accompaniments to this Resolution.

BKS. 26/5/ 4c.

Accompaniments to Government Resolution No.5472, dated 15th September 1941.

SECRET CIPHER.

(102) D.D.Dy.No.7302-W.S. dated 9-6-1941.

TELEGRAM.R.

Telegram No.	3219
Dated	9th June 1941 (11.25a.m.)
From	Governor General (Defence Department), Simla.
To	Secretary of State for India, London.

Your Military Secretary's letter M9934/40 dated November 9th 1940. Revised agreement with Steamship Companies. Cochin is a port of Call for p.& O. and associated companies passenger vessels. Madura Company Limited are official agents at that port. Recommend inclusion of this firm in Schedule I to Memorandum of revised arrangements. Please telegraph decision.

SECRET CIPHER.

(102) D.D.Dy.No.8814-W.S. dated 23-7-1941.

TELEGRAM.R.

Telegram No.	8536.
Dated	22-7-1941
Received	23-7-1941 (at 7.30 a.m.).
From	Secretary of State for India, London.
To	Defence Department, Simla.

Your telegram No.3219 June 9th inclusion of MADURA Company in schedule I to revised agreement with steamship company has been agreed to.

BKS. 26/5/ 4c.

R.I.No. 8896
16.9.41

Submitted with pp. for information -

File in Sal & Allce.
A1

Sd/-
25/9.

Supdt. Sd/-
26/

J.A.S. Sd/-R.T.K. 26/9

A.L.R. Sd/-S.B.P.
27/9

BKS. 26/5/ 4c.

All-India and Provincial Services.

Concession of rent-free accomodation or house-rent allowance in lieu of rent-free accomodation to the members of the - Decision regarding the grant of -

GOVERNMENT OF BOMBAY.

POLITICAL AND SERVICES DEPARTMENT.

Circular No.4075/34.

Bombay Castle, 24th October 1941.

C I R C U L A R.

The general position in regard to proposals for the withdrwal of the concession of rent-free accommodation granted to members of the Secretary of State's and the Provincial Services has been recently examined by Government which has decided as follows.

2. The concession of rent-free accommodation falls within the meaning of the term "remuneration" in sections 247(1) and 250(3) of the Government of India Act, 1935, and it can be altered or withdrawn only where the conditions which gave rise to it have altered or disappeared without "giving less favourable terms as respects remuneration". In the event of such changes being made in the case of officers to whom section 247 applies, officers actually in posts t which the concession was attached will continue to enjoy it and only their successors will be affected.

The words "appointed to his post" in the proviso to section 247 (1) should not be interpreted in the case of a person already in a civil service as indicating his appointment to any one of the posts ordinarily held by members of that service.

3. In the case of the Secretary of State's officers serving in this Province, the authority to decide the question of fact whether circumstances have altered so as to justify withdrawal or alteration of the concession will, in view of section 52(1)(c) of the Government of India Act,1935, be His Excellency the Governor exercising his individual judgment.

4. In the case of Provincial Service officers and those officers to whom section 258 (3) of the Act applies the position is different. The expression "pay and allowance" insection 258 (2), qualified as it is by the words "payable to", cannot be held to include the concession of rent-free accommodation. The effect, therefore, is that such protection as is available for Provincial Service officers comes from the operation of section 241 (3) (a) combined with section 52 (1)(c); while officers to whom section 258 (3) applies fall back on the general protection given to the Secretary of State s officers by section 247. In the case of Provincial Service officers, therefore, His Excellency the Governor will, if necessary, use his powers uhder section 52(1)(c) to secure:

(1) that where the concession of rent-free accommodation is withdrawn or reduced in the case of any post, the change will not apply to the existing incumbent;

(2) that there shall be no discrimination between officers appointed by the Secretary of State and Provincial Service officers when they hold posts which involve identical work as for instance in the case of revenue officers holding sub-divisions.

5. The position is summarised as follows:-

I. SECRETARY OF STATE'S SERVICES.

(a) New entrants	..Government can withdraw the concession of rent-free accommodation.
(b) Officers already in service but not holding posts to which the concession of rent-free accommodation is attached.	As the concession comes under the heading of "remuneration", it can only be withdrawn if, in any particular case, inthe opinion of His Excellency the Governor exercising his individual judgment, the withdrawal can be justified by alteration in the circumstances in which the concession was granted.
(c) Officers holding posts to which the concession of rent-free accommodation is attached.	In no case should they be deprived of the concession as long as they continue to hold the posts.

II. PROVINCIAL SERVICES.

(d) New entrants	Government can withdraw the concession of rent-free accommodation.
(e) Officers already in service but not holding posts to which the concession of rent-free accommodation is attached.	In ordinary cases, the concession may be withdrawn and the Governor's special responsibility is not attracted. But in special cases of posts open to both officers appointed by the Secretary of State and Provincial Service officers involving the same duties, His Excellency the Governor will prevent discrimination by using his special responsibility under section 52(1)(c) of the Government of India Act, 1935.
(f) Officers holding posts to which the concession of rent-free accommodation is attached.	In no case should they be deprived of the concession as long as they continue to hold the posts.

6. All Departments of the Secretariat are accordingly requested to bear in mind the above decisions when considering proposals for the withdrawal of the concession of rent-free accommodation from members of the All-India Services and Provincial Services under their administrative control. The concession of any house-rent allowance granted in lieu of rent-free accommodation is also "remuneration" and will, therefore, be subject to the above decisions.

All cases of modification after 1st April 1937 of the concession of rent-free accommodation or house-rent allowance granted in lieu of rent-free accommodation in respect of members of the Secretary of State's or Provincial Services should be reviewed by the Departments in respect of officers under their administrative control in the light of the decisions stated above, and if there have been cases in which the withdrawal of the concession was not justified, the concession should be restored in full with retrospective effect from the date from which it was withdrawn.

By order of the Governor of Bombay,

G. F. S. COLLINS,
Chief Secretary to the Government of Bombay
Political and Services Department.

G.C.,No. 4075/34, P. & S.D., dated the 24th October 1941.

To

All Departments of the Secretariat (except the Separate Department),
The Secretary to the Governor,
The Accountant General, Bombay.

No. of 1941.

Copy forwarded for information and guidance to

R.I.No. 10202
4-11-41

Noted and submitted for information.

2. So far as L.D. is concerned there are no officers either Provl. or All-India who are in receipt of Concession of rent free accommodation or house rent allowance in lieu of rent ~~allowance~~ free accommodation. No action is necessary as regards para 6 of the present circular. Index card is put up. File in Sal & Allowance./41.

Sd/-
11-11-41

Supdt. Sd/-
12/11

S.A.S. Sd/-S.B.P. 12-11

A.L.R. Sd/-
13-11-41

BKS. 26/5/ 40.

Dearness Allowance:
Grant of - to part-time Government servants.

GOVERNMENT OF BOMBAY.

FINANCE DEPARTMENT.

Resolution No. 174.

Bombay Castle, 3rd December 1941.

Government Memorandum, No.174-F, dated 19th August 1941, to the Commissioners.

Letter from the Commissioners (in Conference), No.E.S.T. 0/16, dated 15th October 1941.

RESOLUTION.- Government has considered the question of extending the concession of dearness allowance to part-time low-paid Government servants and has now come to the conclusion that as a general principle it is not necessary to extend the concession to this class of Government servants who are not fully dependant onpay received by them from Government and who supplement their earnings by private work.

2. As an exception to the general principle mentioned in paragraph 1 above, Government conbiders that the concession of dearness allowance should be extended to part-time sweepers since this class of Government servants is very badly off despite its ability to supplement its earnings to some extent and has been hard hit by the rise in prices. Government is accordingly pleased to direct that part-time sweepers should be granted dearness allowance on the following scale:-

	Rate of allowance per mensem. Rs. a. p.
(i) Sweepers drawing a pay up to Rs.4 per mensem.	0 8 0
(ii) Sweepers drawing a pay above Rs.4 per mensem but up to Rs.8 per mensem ...	1 0 0

In some places a sweeper may work for two or three offices. For the purpose of the grant of dearness allowanceto such sweepers on the above scale, their total emoluments from Government should be taken into account.

3. The orders in paragraph 2 above should take effect from 1st November 1941, i.e., they will apply to bills cashed on the 1st December 1941 and thereafter.

By order of the Governor of Bombay,

V. V. MADKARNI,
Deputy Secretary to Government.

To
The Accountant General, Bombay,
etc., etc.

*By letter.

No. of 1941.

Copy forwarded for information and guidance to

.BKS. 26/5/ 4c.